

EXHIBIT “C”



March 7, 2022

PLEASE BE ADVISED THAT THIS LETTER CONTAINS A TIME SENSITIVE SETTLEMENT OFFER. ALL SECTIONS OF THIS PACKAGE ARE SUBMITTED FOR THE PURPOSE OF SETTLEMENT ONLY. PLEASE GIVE THIS LETTER YOUR IMMEDIATE ATTENTION.

CERTIFIED MAIL-RETURN RECEIPT



* 1 2 2 0 3 0 9 7 *

Ace American Insurance Company
ATTN: Ryan McGee (Ryan.McGee@marten.com)
Ragsdale Liggett
436 Walnut Street
Philadelphia, PA 19106

RE: Our Client: Jonathan Hernandez
 Your Insured: Marten Transport
 Date of Loss: 11/13/2021
 Policy #: XSAH25545473

Dear Ryan McGee:

As you are aware, our firm has been retained to represent Jonathan Hernandez in his negligence claim against your insured. After careful consideration, it is our belief that this claim has reached a point where settlement can and should be considered, thereby avoiding the undue costs associated with litigation. This claim can and should resolve at this time.

DATE OF CRASH:

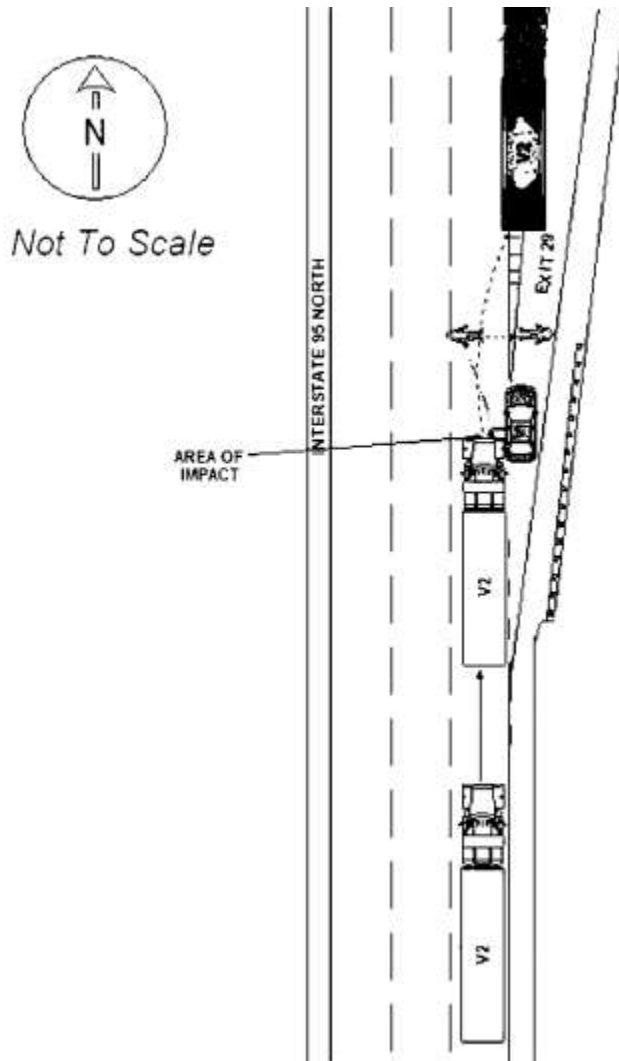
11/13/2021

AGE/SEX:

25 years old / male/ single

CAUSE OF INJURY:

On November 13th, 2021 my client, Mr. Hernandez, had his vehicle pulled over in the emergency lane off Exit 29 and Interstate 95 North due to a prior accident that had just taken place. Mr. Hernandez was by the guardrail in the grass area when he went back to his vehicle in the attempts to retrieve his phone. It was then that he was violently struck by your insured driver with such force that Mr. Hernandez was thrown 33 feet away from the collision and his leg was ripped apart from his person and found about 165 feet from the area of impact and on your insured trailer. There were multiple witnesses that claim your insured driver did not blow his horn or show any attempts to avoid Mr. Hernandez prior to him being struck.



Mr. Hernandez was immediately rushed by ambulance to Shands Hospital in Jacksonville in critical condition. He had one of his legs amputated, as it was found to be non-salvageable. He also had numerous amounts of broken bones, a blood transfusion, and major skin abrasions to the extent of needing skin grafts and was on life support for a period of time. He was then transported to Shands Hospital in Gainesville for additional surgeries and treatments.

- **Hemorrhagic shock**
- **Open abdominal wall wound**
- **Endotracheal intubated**

- **Right leg amputation**
- **Right elbow dislocation/ reduction with ortho**
- **Right brachial vein injury requiring ligation**
- **Complete bowel transection mid jejunum with 40cm necrotic bowel**
- **Acute kidney injury due to the trauma**
- **Left humerus fracture**
- **Liver laceration**
- **Respiratory distress/ respiratory failure and need for ventilation**
- **Transverse humeral diaphysis fracture**
- **Traumatic rhabdomyolysis**
- **Penile degloving**
- **Traumatic open scrotal injury**

Mr. Hernandez is still in critical condition, has been in the hospital for over 100 days, and will never be the same as before this accident. Given the nature of his injuries and the amount of pain that he continues to suffer, Mr. Hernandez will require additional severe medical treatment in the future to mitigate his severe injuries.

Enclosed is a copy of the crash report.

Mr.Hernandez's current medical bills are \$2,885,706.50 and climbing.

LIABILITY: CLEAR.

It is our position that liability is clear and that the only issue to be negotiated in this case is the value of the bodily injury claim.

LIFE EXPECTANCY: 52.51 years

FUTURE MEDICAL TREATMENT:

Given the nature of his injuries and the amount of pain that he continues to suffer, it is medically certain that Jonathan Hernandez will require additional medical treatment in the future to mitigate his injuries. Jonathan Hernandez's injuries are directly related to the crash of 11/13/2021. Jonathan Hernandez will require future medical treatment to mitigate the injuries that Jonathan Hernandez sustained in this crash.

NON-ECONOMIC DAMAGES:

Jonathan Hernandez's life was abruptly interrupted by the negligence of your insured when he had to seek medical treatment to mitigate his injuries he sustained in this crash. Jonathan Hernandez has had to undergo multiple skin grafts and surgeries. Jonathan Hernandez has consistently suffered and experienced pain caused by the injuries he sustained in the crash. Jonathan Hernandez sustained permanent injuries as a direct result of this crash. Therefore, Jonathan Hernandez is pursuing both economic and non-economic damages.

In the event this claim does not resolve in accordance with the terms and conditions of this demand, Plaintiff will present a customary per diem argument to the jury for non-economic damages.

OFFER TO SETTLE: ANY AND ALL POLICY LIMITS

On the basis of the foregoing damages, it is our opinion that a reasonable settlement value for Jonathan Hernandez claim for bodily injuries, impairments, economic damages, and non-economic damages is well in excess of the disclosed policy limits.

This claim could and should be settled for any and all policy limits. **This offer of settlement will remain open until Monday March 21st, 2022 by 2PM Eastern Standard time.** By tendering the available policy limits at this time, we can spare all parties additional legal fees, costs, and delay. Please advise your insured of this pending time sensitive settlement offer.

Please be advised that this settlement offer is conditioned upon:

- **Settlement draft made payable to the Morgan & Morgan Jacksonville, PLLC. Trust Account f/b/o Jonathan Hernandez, Tax ID [REDACTED] sent via FedEx to my direct attention and received in our office, located at 76 S. Laura Street, Jacksonville, FL 32202, and in my possession, no later than Monday March 21st, 2022 by 2PM Eastern Standard time.**

In the event Ace American Insurance requires a release as a condition of settlement, then please be advised that my client will sign a mutual and general release should all other conditions be timely met.

Enclosed please find all medical records and medical bills in our possession, which document the claim of Jonathan Hernandez to assist you in your evaluation. Please review the enclosed information and contact my Case Manager, Mimi Doherty at (904) 361-0055 or mdoherty@forthepeople.com to discuss settlement prior to our initiation of litigation. My direct

contact is (904) 361-7167 should you have any questions or require any other information to fairly evaluate this claim. We look forward to hearing from you soon in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Humphries". The signature is written in a cursive, flowing style.

Jeff Humphries

JH/mrd

Enclosures